

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2006-6673-TMV

PROJECT MANAGER: Todd Vesperman

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date: 11/30/2006
At the project site? Y ☐ N ☐ Date:

PROJECT LOCATION INFORMATION:

State: **Minnesota**

County: **Brown**

Center coordinates of site by latitude & longitude: **44.2080637919643/-94.4330974060911**

Approximate size of site/property (including uplands) in acres: **40**

Name of waterway or watershed: **Middle Minnesota Watershed**

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		1=3.0ac							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☒

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The wetland being reviewed is approximately 3 acres in size and includes approximately 0.5 acre that is farmed wetland. The proposed project would impact the 0.5 acre of farmed wetland. The entire wetland basin is located in an agricultural field and is surrounded by non-hydric soils (uplands), has no definable inlets or outlets, and does not have a continuous surface connection or significant nexus to other waters of the United States. The subject wetland occurs entirely within Brown County, Minnesota; has not been used for recreation; and has no reasonable connection to interstate commerce.**

The following information was used in making the no jurisdiction determination; USGS topographic map, FSA 2003 aerial photograph, the National Wetland Inventory, and the 1988 Brown County Soil Survey.